

**June 19, 2003**

**Resolution in support of Res. No. 909, currently before the NYC Council and calling upon federal, state, and local officials, and New York City agencies and institutions, to affirm and uphold civil rights and civil liberties**

**Whereas** the USA PATRIOT Act of 2001, Public Law 107-56, was passed just 45 days after the tragic events of September 11, 2001, without due deliberation and consideration; and

**Whereas** the original intent to meet demands for urgent action in the face of national emergency has resulted in the significant erosion of constitutional rights in the United States, including the rights to freedom of speech, due process and equal protection; and

**Whereas** the Act and related executive orders, regulations and actions permit incarceration of non-citizens based upon mere suspicion, and allow for the indefinite detention of citizens without charges and without access to counsel; and

**Whereas** since September 11, 2001, thousands of Arab, Muslim and South Asian men and students have been interrogated, fingerprinted, and detained based solely or primarily on their religion or ethnicity; and

**Whereas** the USA PATRIOT Act granted law enforcement and intelligence agencies vast new powers to access personal, medical, library and financial records without having to show probable cause or reasonable suspicion; and

**Whereas** new FBI guidelines provide the federal government with substantial new powers to engage in surveillance of activities protected by the First Amendment, including the power to spy on political meetings, religious gatherings, internet "chat" rooms, and other public meetings without suspicion of any past, present or future criminal activity; and

**Whereas** the federal government has drafted new legislation entitled the Domestic Security Enhancement Act (also known as PATRIOT II), which contains sweeping new law enforcement and intelligence gathering powers, many of which are not related to terrorism, that would further compromise constitutional rights, and further undermine our government's unique system of checks and balances; and

**Whereas** over 120 communities throughout the country, in addition to three states, have enacted Resolutions that reaffirm support for civil rights and civil

liberties and that demand accountability from law enforcement agencies regarding the exercise of the extraordinary new powers referred to herein; and

**Whereas** PSC/CUNY is committed to protecting and ensuring the civil rights and civil liberties of all residents of the United States of America; therefore be it

**Resolved** that PSC/CUNY oppose the USA Patriot Act and call for the NYC Council to pass Res. No. 909, which calls upon federal, state and local officials, and upon New York City agencies and institutions, to affirm and uphold civil rights and civil liberties.